

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT.

Tirumala Tirupati Devasthanams – Appeals – Appeal filed by Sri G.Vijaya Kumar, Senior Assistant, Tirumala Tirupati Devasthanams Tirupati u/s. 120 (ii) of Act 30/87 against the orders of Tirumala Tirupati Devasthanams Trust Board – Punishment Reduced – Orders – Issued.

Revenue (Endts.III) Department

G.O.ms.No.817

Dated:28-06-2008.
Read the following:

1. Memorandum of Charge Roc.No.DA3/4526/99, dt.23-06-1999. of Executive Officer, T.T.D.,
2. Proceedings Roc.No.DA3/4526/99, dt.16-5-2001 of E.O. TTD.
3. Proceedings Roc.No.B2/20211/2001, dt.30-12-2003 of E.O, TTD.
4. From Sri G.Vijaya Kumar, Sr.Asst., TTDs, Tirupati, appeal dt.7-1-2004.

ORDER

This is an appeal petition filed by Sri G.Vijaya Kumar, Senior Assistant under Sec.120(ii) of Act 30/87 against the orders of the Tirumala Tirupati Devasthanams Trust Board in its Resolution No.557, dated 22-12-2003.

2. Based on the report of Assistant Vigilance & Security Officer, Sri G.Vijaya Kumar, Senior Assistant of the Annamacharya Project was charged with five allegations in the reference 1st read above. A regular enquiry was ordered in which the Enquiry Officer held 3 of the 5 charges as approved. A show cause notice was issued proposing to punish the accused officer with reduction to lower rank and final orders were issued on 16-5-2001 punishing with penalty of stoppage of one increment with cumulative effect in the reference 2nd read above. Aggrieved by these orders, Sri Vijaya Kumar filed an appeal to the Tirumala Tirupati Devasthanams Board. The Tirumala Tirupati Devasthanams Board has rejected his appeal in its Resolution No.557, dated 22-12-2003. The same has been communicated to the appellant in the reference 3rd read above.

3. Aggrieved by the orders of Tirumala Tirupati Devasthanams Board, Sri G.Vijaya Klumar, Senior Assistant has filed an appeal in Government u/s. 120 (ii) of Act 30/1987.

4. The case was posted for hearing on 22-01-2008. The appellant and Special Officer on behalf of Tirumala Tirupati Devasthanams were attended. The individual has been heard and the records have been perused and the Special Officer has also been heard. The appellant contended that he never commit any misconduct and the Enquiry Officer has not conducted the enquiry fairly by affording an opportunity to cross-examine the witnesses. He contended that he was not directly or indirectly involved in purchasing the items and in getting the excess bill for Rs.200/- and Rs.16/- as has been made out in the enquiry.

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5. Government perused all the records available and gone through the enquiry report. It has been observed that as against the initial charge that Sri Vijaya Kumar was guilty of misappropriation of Rs.15,239-26, the Enquiry Officer came to the conclusion that the discrepancy is only Rs.216/-. This comprises of Rs.16/- which was paid excess to M/s.Chintamani Agencies and Rs.200/- paid to M/s. Raj Furniture's. Sri Vijaya Kumar's contention is that he was not involved in making these payments or in the alleged tampering of the bills. This was done by a private Thambura artist who purchased the material and got the receipts. However, the Enquiry Officer felt that the charged officer cannot escape the responsibility even though the actual purchase and payments were made by Sri P.Sankar. The Enquiry Officer did not find any malafied intention on the part of Sri G.Vijaya Kumar in keeping certain empty receipts with himself. Ultimately, the Enquiry Officer concluded that Sri G.Vijaya Kumar may not have been directly involved in gaining Rs.216/-, more than what was actually paid to the vendors, but since he was having the responsibility to organize the function and account for expenditure, he did not exercise it diligently and therefore he was guilty of the charges framed against him.

6. In view of the above circumstances, Government have found that the gravity of the offence and absence of any direct involvement of the accused officer warrant a slightly reduced punishment than what has been inflicted on him. There is, however, certain slackness which is evident from the report of the Enquiry Officer. Therefore, Government hereby reduce the punishment to stoppage of one increment without cumulative effect and allow the appeal partially and order that the punishment be reduced to withholding of one increment without cumulative effect.

7. The Executive Officer, Tirumala Tirupati Devasthanams shall take necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G.SUDHIR,
PRINCIPAL SECRETARY TO GOVERNMENT.

To
Sri G.Vijaya Kumar, Senior Assistant.
Thro. The Executive Officer,
Tirumala Tirupati Devasthanams, Tirupati.
The Executive Officer,
Tirumala Tirupati Devasthanams,
Tirupati.
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER.